(1) Supreme Court, U.S.
FILED
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OFFICE OF THE CLERK

No. _____

In The
SUPREME COURT OF THE UNITED STATES

♦

People of the State of California,

Respondents,

vs.

Mohan Ahuja,

Petitioner.

♦

ON PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF THE STATE OF CALIFORNIA IN PETITION # S089785.

♦

PETITION FOR A WRIT OF CERTIORARI

♦

Dr. Mohan Ahuja, *Pre Se*
Counsel of record for the Petitioner

Please Serve:
Dr. Mohan Ahuja, *Pre Se*
670 Radcliffe Ave.
Pacific Palisades, CA-90272
Tel Number: (310) 459-1460

---

35 PP

QUESTIONS PRESENTED

After many serious irregularities by Judges and Attorneys towards denying trial --- including Judge Frank Johnson and the District Attorney who was prosecuting the defendant asking a Privately retained Private Investigator to cease investigation, sham and farce legal proceedings by Judges and farce and sham legal representation by attorneys, denial of speedy trial, Judge Frank Johnson being too eager to pronounce the defendant guilty and pronouncing so despite the defendant not waving jury trial or right to not waving right against self-incrimination as clearly stated in the transcript of 4 October 1999 hearing and the minute order of 4 October 1999 being in error in these regards, Judges and Attorneys acting improperly as they were primarily concerned with protecting people in high places (e.g., President Bill Clinton) from legal consequences of their illegal actions in orchestrating false arrest and incarceration of the defendant, etc. --- the defendant was pronounced guilty by Judge Frank Johnson of the Municipal Court County of Los Angeles. The Defendant filed Defendant's "MOTIONS TO WITHDRAW NO-CONTEST PLEA AND TO ENTER NOT-GUILTY PLEA UNDER CALIFORNIA PENAL CODE 1018" (henceforth referred to as "the Motion"). The motion was denied. The defendant appealed to the Court of Appeal, Second Appellate District, Division 3. The Court of Appeal refused to let the defendant represent himself. The Defendant filed a petition for review by the California Supreme Court about the Court of

Appeal's decision to deny the defendant self-representation before the Court of Appeal. The California Supreme Court denied the petition for review in its order of 16 August 2000. In filing this petition for a writ of certiorari, the petitioner's goal is to continue to seek to do self-represent on the Appeal about the decision of the Municipal Court County of Los Angeles on denial of Defendant's "MOTIONS TO WITHDRAW NO-CONTEST PLEA AND TO ENTER NOT-GUILTY PLEA UNDER CALIFORNIA PENAL CODE 1018".

In the past, the Judges involved in this matter and defendant's past attorneys have been primarily concerned with protecting people in high places, e.g., President Bill Clinton, from legal consequences of their illegal actions in orchestrating false arrest and incarceration of defendant, and so have provided sham and farce legal proceedings and representation. In the future this is going to continue (and possible future attorneys will only provide sham and farce legal representation). Hence, the right to self-represent by the defendant is particularly of importance in this matter.

The questions presented are:

1. Whether it is un-constitutional or an error or abuse of Power/discretion by the Court, to deny a criminal defendant the right to appear in *pro se* before a Court of Appeal, and in specific before the Court of Appeal, Second Appellate District, Division 3Appeal, for an Appeal from a decision of a Municipal Court/Superior Court to deny the

Defendant's "MOTIONS TO WITHDRAW NO-CONTEST PLEA AND TO ENTER NOT-GUILTY PLEA UNDER CALIFORNIA PENAL CODE 1018"[1]?

2. Whether such denial of self-representation prejudices the defendant's freedom interest?

3. Whether such denial of self-representation before a Court of Appeal is un-constitutional or an error or abuse of Power/discretion by the Court, particularly in light of the fact that the no-contest plea was extorted from the defendant, as amply documented in the record e.g., in line 21 of page 4 to line 6 of page 6 of DEFENDANT'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTIONS TO WITHDRAW NO-CONTEST PLEA AND TO ENTER NOT-GUILTY PLEA UNDER CALIFORNIA PENAL CODE 1018" filed on 6 March 2000?

4. Whether such denial is un-constitutional or an error or abuse of Power/discretion by the Court, particularly in light of the fact that the defendant was forced in to accepting the no-contest plea by Judges denying him *pro se* status even before the Appeal and Counsels were made to represent the defendant against defendant's objections?

---

[1] Henceforth, referred to as "the Motion".

5. Whether such denial is un-constitutional or an error or abuse of Power/discretion by the Court, particularly in light of the fact that the defendant was forced in to accepting the no-contest plea by denying him *pro se* status and by forcing representation by Counsels who provided sham and farce legal proceedings and representation?

6. Whether such denial is un-constitutional or an error or abuse of Power/discretion by the Court, particularly in light of the fact that the Judges and defendant's past attorneys have been primarily concerned with protecting people in high places, e.g., President Bill Clinton, from legal consequences of their illegal actions in orchestrating false arrest and incarceration of defendant and so have provided only farce and sham legal representation?

7. Whether such denial is un-constitutional or an error or abuse of Power/discretion by the Court, particularly in light of the fact that an attorney appointed by the court or retained by the defendant, like attorneys appointed by the Court as well as retained by the defendant in the past, are going to provide only farce and sham legal representation and the defendant has made a declaration to this effect which constitutes a prima facia proof of the declared fact?

8. Whether such denial is un-constitutional or an error or abuse of Power/discretion by the Court,

particularly given that the right to self-representation on appeal stems from the due process and equal protection clauses of the Fourteenth Amendment of the U.S. Constitution?

9. Whether such denial is un-constitutional or an error or abuse of Power/discretion by the Court, particularly given that both 1) violation of the right to a speedy trial that was violated in forcing a no-contest plea on the defendant, and 2) violation of the right to self-representation granted by the due process and equal protection clauses, are in violation of clauses of the Sixth Amendment of the U.S. Constitution?

10. Whether such denial is un-constitutional or an error or abuse of Power/discretion by the Court, particularly given that the right to self-representation on appeal stems from the due process clause of the Fifth Amendment of the U.S. Constitution?

11. Whether such denial is un-constitutional or an error or abuse of Power/discretion by the Court, particularly since defendant's decision to represent himself reflects a genuine desire to " `conduct his own cause in his own words' " ?

12. Whether denial of self-representation constituted an un-constitutional act or an error or abuse of Power/discretion by the Court, particularly in light of the fact that under the circumstance of this matter the risk of disloyalty to the defendant by a

court-appointed attorney or a retained attorney is a sufficient concern to conclude that such a right is a necessary component of a fair appellate proceeding?

13. Whether such denial is un-constitutional or an error or abuse of Power/discretion by the Court, particularly in light of the fact that the defendant was forced in to accepting the no-contest plea by the Judge insisting that the only way the Judge will accept that the defendant be not further harassed and retained in custody using ploy of false accusations was if the defendant accepted a no-contest plea?

14. Whether such denial is un-constitutional or an error or abuse of Power/discretion by the Court, particularly in light of the fact that the arrest and incarceration of the defendant was on false and trumped-up charges?

15. Whether such denial is un-constitutional or an error or abuse of Power/discretion by the Court, particularly in light of the fact that the defendant was forced in to accepting the no-contest plea by the Judge whose motivation was to protect powerful people from legal consequences of the illegal action of false and trumped-up charges and against the defendant?

16. Whether such denial is un-constitutional or an error or abuse of Power/discretion by the Court,

particularly in light of the fact that the defendant was denied speedy trial guaranteed by the Federal Law and California Law and the Sixth Amendment of the U.S. Constitution (defendant was incarcerated for 6 months and 6 days many months after the date by which speedy trial should have started)?

17. Whether such denial is un-constitutional or an error or abuse of Power/discretion by the Court, particularly in light of the fact that the Judge who forced the defendant into accepting no-contest plea and the District Attorney prosecuting the defendant both did many serious irregularities including asking on 19 July 1999 (i.e., before the no-contest was entered) a Privately retained Private Investigator Mr. Lawrence Sanchez to cease investigation and Mr. Lawrence Sanchez's declaration saying so was filed on 5 April 2000 (in support of the Motion as Exhibit 1, see 5 April 2000 minute order of the Municipal Court County of Los Angeles Appendix-B) as evidence before ruling was given on the Motion by Judge William R. Chidsey of the Municipal Court/ Superior Court?

18. Whether the Court of Appeal, Second Appellate District, Division 3 erred or abused its Power/discretion, in denying the petitioner's/appellant's "Application for extension of time to file a motion for reconsideration of this Court's June 1, 2000", despite the fact that the appellant stated that he had been ill and so needed extra time?

19. Whether the Supreme Court of California erred or abused its Power/discretion, in denying Petition for Review in this matter?

20. Whether the Supreme Court of California erred or abused its Power/discretion, in denying Petition for Review in this matter, particularly in light of all the other factors that have been articulated supra?

21. Whether the Supreme Court of California erred or abused its Power/discretion, in denying Petition for Review in this matter particularly in light of the fact that the Court of Appeal, Second Appellate District, Division 3 denied the petitioner's/appellant's "Application for extension of time to file a motion for reconsideration of this Court's June 1, 2000", despite the fact that the appellant stated that he had been ill and so needed extra time?

PARTIES TO THE PROCEEDINGS

The parties to the proceedings in the Municipal Court County of Los Angeles Case No SA035552, Court of Appeal, Second Appellate District, Division 3Appeal No. B140867, and the Supreme Court of California Petition for Review S089785 were those listed in the caption.

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PETITION FOR A WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari be issued to review the judgement and opinion of the Supreme Court of California entered in the above-entitled matter on 16 August 2000.

OPINIONS BELOW

4 October 1999 minute order of the Municipal Court County of Los Angeles, is printed as Appendix-A, *infra*, 1a. 5 April 2000 minute order of the Municipal Court County of Los Angeles, is printed as Appendix-B, *infra*, 6a. 1 June 2000 and 21 June 200 Orders of the Court of Appeal, Second Appellate District, Division 3, Appeal No. B140867 are printed as Appendix-C, *infra*, 8a. 16 August 2000 Opinion of the Supreme Court of California denying Petition for Review (California Supreme Court # S089785) is printed as Appendix-D, *infra*, 11a.

JURISDICTION

The Supreme Court of California denied the Petitioner's Petition for Review (California Supreme Court # S089785) in an order filed on 16 August 2000. The Jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a). This Petition for a writ of certiorari is being filed under U.S. Supreme Court's Rule 11.

CONSTITUTIONAL PROVISIONS

Fourteenth Amendment of the U.S. Constitution:

No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without ***due process*** of law; nor deny to any person within its jurisdiction ***the equal protection of the laws***. ***(Emphasis added.)***

Fifth Amendment of the U.S. Constitution:

No person shall be ...; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without ***due*** process of law. ***(Emphasis added.)***

Sixth Amendment of the U.S. Constitution:

In all criminal prosecutions, the accused shall ***enjoy the right to a speedy*** and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense. ***(Emphasis added.)***

STATEMENT

A. CLAIMS OF FACTS

As of 1 April 1999, the alleged Defendant was a Pro Per Plaintiff in two legal actions, one in District Court of Southern California, San Diego, 98VC0735 and another in Superior Court of California, San Diego Case No. 721674 and resulting Appeal No.: D031995. Regents of University of California/University of California (referred to as "UC") is a defendant in these two civil actions and is represented by with Paul Plevin and Sullivan, LLP. During the discovery the Plaintiff in these two civil actions came to understand that ex-U.S. District Attorney of San Diego Alan D. Bersin when he was the District Attorney of San Diego and his Office as well as President of United States William Jefferson Clinton were closely involved in matters related to UC taking unfair advantage of the Plaintiff of these two civil actions in the matters related to these two civil actions. Depositions were scheduled of Alan D. Bersin for 5 April 1999 and William Jefferson Clinton on 19 April 1999. Even though the deponents could have avoided the depositions by legal means, they and the defendant UC chose to instill fear in the Plaintiff of the two civil actions and chose to intimidate him. As a result the Plaintiff of these two civil actions was made to become defendant of the falsely and trumped-up charges in the matter of case # SA03552, which has lead to this petition for a writ of certiorari in the defendant's quest for justice and the defendant's quest for self-representation for reasons given herein and in the record.

On 1 April 2000, in violation of 42 U.S.C. § 1983, defendant (of case # SA03552) was arrested by UC Employee Terry Brown and her associates from UC Police without jurisdiction in Pacific Palisades where they caused the arrest and with help from Mr. Allen Bersin, Mr. William Jefferson Clinton, and their associates. Further, the arrest was done on false charges filed by UC employees and Ms. Marcella Ann Chipman associated with employees of and the firm of Paul Plevin and Sullivan, LLP, which is defending University of California in two Civil Actions in which the defendant (of SA03552) is the Pro Per Plaintiff.

"Involvement of powerful people in causing the false arrest and incarceration" caused the Judges and the Attorneys handling the matter to become "biased and prejudiced" against the defendant and lead to repeated sham and farce legal proceedings and representation. Attempts of the Defendant to represent himself were thwarted by devious designs by the Judges involved in the matter. This petition for a writ of certiorari is being filed to correct one such denial, namely denial to this defendant/petitioner to do self-representation before the Court of Appeal. Even though this petition for a writ of certiorari is about the quest for self-representation by the defendant and not about all the supra said misconduct of the powerful people, Judges, and attorneys, the related facts have been summarized to give this Court an understanding of the background in which this Petition for a writ of certiorari is being filed and the importance of self-representation in the matter of the appeal.

B. PROCEEDINGS BELOW

After many serious irregularities towards denying trial --- including 1) Judge Frank Johnson and the District Attorney who was prosecuting the defendant asking on 19 July 1999 a Privately retained Private Investigator Mr. Lawrence Sanchez to cease investigation (see declaration of Mr. Lawrence Sanchez filed on 5 April 2000 as Exhibit 1, and referred to in 5 April 2000 minute order of the Municipal Court County of Los Angeles Appendix-B), 2) denial of genuine representation and instead sham and farce legal representation, 3) orchestration of sham and farce legal proceedings, 4) the defendant not waving jury trial or right to "not self-incriminate himself" as clearly stated in the transcript of 4 October 1999 hearing and the minute order of 4 October 1999 being in error in these regards, etc., --- Judge Frank Johnson being too eager to pronounce the defendant guilty, issued his 4 October 1999 order pronouncing the defendant guilty. See minute order of the Municipal Court County of Los Angeles, which is printed as Appendix-A.

On 6 October 1999, the defendant was released from custody and it took him months to recover, at least partly, from the turmoil he had suffered due to false arrest and incarceration and misconduct of Judges etc. After some recovery, on 6 March 2000, the *pro se* defendant filed Defendant's "MOTIONS TO WITHDRAW NO-CONTEST PLEA AND TO ENTER NOT-GUILTY PLEA UNDER CALIFORNIA PENAL CODE 1018" (henceforth referred to as "the Motion"). The defendant gave overwhelming evidence, arguments, and reasons for granting his Motion. All

the relevant questions raised here were raised in papers and in hearings on 31 Mach 2000 and 5 April 2000. Judge William R. Chidsey, being "biased and prejudiced", like other Judges who have been involved in proceedings in this matter, and being motivated by the need to protect powerful people from legal consequences of their illegal actions, denied the motion. See 5 April 2000 minute order of the Municipal Court County of Los Angeles, which is printed as Appendix-B. Judge Chidsey denied the motion despite the fact that the defendant filed on 5 April 2000, in support of the Motion, as Exhibit 1 as evidence, a declaration by a Privately retained Private Investigator Mr. Lawrence Sanchez declaring that Judge Johnson and the District Attorney prosecuting the defendant asked Mr. Sanchez on 19 July 1999 (i.e., before the no-contest was entered) to cease investigation --- see 5 April 2000 minute order of the Municipal Court County of Los Angeles given in Appendix-B which states that Defendant's Exhibit 1 (Declaration of Lawrence Sanchez) is admitted into evidence.

On 12 April 2000, the Defendant in *pre se* filed an Appeal with the Court of Appeal, Second Appellate District, Division 3, Appeal No. B140867. In response to the Court of Appeal's letter of 28 April 2000, the plaintiff reaffirmed that he plans to be *pre se* and made a request to grant the *pro se* status giving valid reasons and the record is full of the defendant citing reasons that form basis of the questions posed to this court. Overlooking the record which is full of the reasons for granting self-representation, which include the reasons for which this petition for a writ of certiorari is being

filed and that form the relevant clauses of the questions posed to this court, the Court of Appeal, Second Appellate District, Division 3, in its 1 June 2000 Order (printed as Appendix-C) denied the request and the right of the defendant to do self-representation and the Court of Appeal chose to err to justify it's decision. The error by the Court of Appeal was in citing a secondary argument, given by the defendant for granting the appeal, as the only reason that the Court of Appeal had been requested to consider in arriving at its decision to deny the appeal. And the Court of Appeal had considered only that secondary reason, given by the defendant for granting the appeal, and had failed to consider all the primary and other valid reasons given by the defendant and that are in the record. And the Court of Appeal did so despite the fact that the defendant had given and the record is full of all the primary and valid reasons for granting the appeal which have also been articulated in this petition for a writ of certiorari and the secondary argument was simply noted by the defendant to assure the court that the defendant has fairly good educational background which will be helpful in self-representation. This secondary argument was the simple fact that due to the defendant's extensive educational background the defendant has the discipline needed towards studying anything the defendant needs to study for *pro se* representation. The defendant believes that the Court of Appeal deliberately wanted the defendant to not have genuine representation and the only way that can be achieved is if someone else represents the defendant (so that sham and farce legal proceedings and representation can be ensured by the wide reach and influence of the powerful people who are being

protected from legal consequences of their actions) and clearly if the defendant is *pre se* on appeal then the defendant will certainly not be so influenced and will provide himself genuine representation which the Court of Appeal does not want to happen.

On 15 June 2000, the defendant filed with the Court of Appeal, Second Appellate District, Division 3, an application for extension of time so that the defendant can file "Motion for granting self representation in Appeal and to reconsider 1 June 2000 order". The defendant stated clearly that he was seeking the extension for filing due to medical reasons as in that week, staring around 12 June 2000, he had both flue and Pneumonia which had continued until 15 June 2000, and due to the weakness created it will require some time for the defendant to be functional.

In its 21 June 200 Order, the Court of Appeal, Second Appellate District, Division 3, being "biased and prejudiced" and motivated for non-judicial reasons as stated supra, denied the request for extension of time for filing a motion that the defendant had filed on 15 June 2000 as stated in the preceding paragraph.

On 10 July 2000, the Defendant filed a petition for review with the California Supreme Court, # S089785. The Defendant stated clearly how the Court of Appeal had erred in citing a secondary reason, given by the defendant for granting the appeal, as the only reason that the Court of Appeal was supposed to consider in arriving at its decision to deny the appeal. The Defendant also stated clearly how the Court of Appeal had considered only a secondary reason, given by the

defendant for granting the appeal, and had failed to consider all the primary and other valid reasons given by the defendant and that are in the record. And the Court of Appeal did so despite the fact that the defendant had given and the record is full of all the primary and valid reasons for granting the appeal which have also been articulated in this petition. This secondary argument was the simple fact that due to the defendant's extensive educational background the defendant has the discipline needed towards studying anything the defendant needs to study for *pro se* representation.

In 16 August 2000 Opinion of the Supreme Court of California denied the Petition for Review (California Supreme Court # S089785). The Opinion is printed as Appendix-D.

REASONS FOR GRANTING THE WRIT

Denial of self-representation to this defendant, i.e., the right to appear in *pro se*, before the Court of Appeal, Second Appellate District, Division 3, for an Appeal from a decision of a Municipal Court/Superior Court to deny the Defendant's "MOTIONS TO WITHDRAW NO-CONTEST PLEA AND TO ENTER NOT-GUILTY PLEA UNDER CALIFORNIA PENAL CODE 1018", is wrong and is un-constitutional and an error and abuse of Power/discretion by the Court, and such denial prejudices the defendant's freedom interest.

In the past, the Courts have denied a criminal defendant the right to self-representation before an Appeals Court. Despite such rulings by the Courts the

fact remains that denial of self-representation before an Appeal's Court is wrong and is un-constitutional and an error and abuse of Power/discretion by the Court, and such denial prejudices a defendant's freedom interest. Hence, **the petitioner respectfully requests that this petition for a writ of certiorari should be granted so that correct ruling and correct interpretation of Constitution of the United States is established by the Highest Court** of this remarkable and great nation that we call United States of America.

There are basic constitutional reasons for granting this writ of certiorari, which include the facts that denial of self-representation before an Appeal's Court violates the following constitutional provisions:

1. Violates the due process clause of the Fifth Amendment of the U.S. Constitution.

2. Violates the due process and equal protection clauses of the Fourteenth Amendment of the U.S. Constitution.

3. Violates the Sixth Amendment of the U.S. Constitution due to violation of the right to a speedy trial that was violated in forcing a no-contest plea on the defendant as well as by the denial of self-representation.

The record in this case is full of proof of what is being said here and has all the relevant declarations, including Declarations by Dr. Mohan Ahuja who is the defendant and Mr. Lawrence Sanchez and these declarations constitute a prima facia proof of the declared facts.

In this matter, in light of the record, the "right to counsel" is equivalent to "right to self-representation" as representation of this defendant in this matter by any one other that the defendant will result in a sham and farce legal representation.

Judges and Attorneys have acted improperly in this matter so far, among other things because of their concern with and motivation to protect people in high places (e.g., President Bill Clinton) from legal consequences of their illegal actions of orchestrating false arrest and incarceration of the defendant. The only way to stop these improprieties is to allow this defendant to proceed *pro se* before the Court of Appeal. This increases the importance of granting of this petition for a writ of certiorari.

Further, the legal serious irregularities created by the improper actions and decisions of the Judges and the attorneys up until every stage in this matter have provided at the later stages an additional motivation to Judges to take more improper decisions. Denial of self-representation by the Court of Appeal, Second Appellate District, Division 3 and denial of petition for review by the California Supreme Court are two such important decisions which need to be corrected. This further increases importance of granting of this petition for a writ of certiorari.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Mohan Ahuja,
Pre Se

Please address all Communication to:

Mohan Ahuja, *Pre Se*
670 Radcliffe Ave.
Pacific Palisades, CA-90272
Tel Number: (310) 310-1460

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APPENDICES

APPENDIX A

MINUTE ORDER
MUNICIPAL COURT, COUNTY OF LOS ANGELES

NO. SA035552

People of the State of California,

Plaintiffs,

vs.

Mohan Ahuja,

Defendants.

(4 October 1999)

Before Frank J. Johnson (Judge).

Defendants 01: Mohan Ahuja
Case Filed on 05/14/99.

Complaint filed, declared or sworn to charging Defendants with having committed on or about 03/16/99 in the County of Los Angels, the Following Offense(s) of:
Count 01: 76(A) PC Fel - Threatening State Official.
Count 02: 422 PC Fel - Making a Terrorist Threat.
Count 03: 76(A) PC Fel - Threatening State Official.
Count 04: 422 PC Fel - Making a Terrorist Threat..

On 10/04/00 at 8:30 AM in L.A. -West Los Angeles Div 091

Case called for bail review

Parties: Frank J. Johnson (Judge)
Jose Cancel (Clerk)
Richard W. Motzkus (Rep)
Don M. Tamura (DA)

Defendant is present in court, and represented by B. Colodny Private Counsel.

Defendant advised of and personally and explicitly waives the following rights:
Trial by Court and trial by jury
Confrontation and cross-examination of witnesses;
Subpoena of witnesses into court to testify in your defense;
Against self-incrimination;
Defendant advised of the following:
The possible consequences of a plea of guilty or nolo contendere, including the maximum penalties incident to subsequent convictions for the same or similar offences;

The Effect of Probation;
If you are not a citizen you are hereby advised that a conviction of the offence for which you have been charged may have the consequences of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States;

The Court finds that each such waver is knowingly, understandingly, and explicitly made; counsel joins in the waivers

The defendant personally withdraws plea of not guilty to count 01 and pleads nolo contendere with the approval of the court to a violation of section 76(A)

PS in Count 01. The court finds the defendant guilty.

Count (01): Disposition: Convicted

Court finds that there is a factual basis for defendant's plea, and court accepts plea.

Court now finds defendant competent (per report of Dr. Kanpke)
Court orders doctors report sealed, per 1368 P.C.
Criminal Proceedings are reinstated.

Waives time for sentence.

Next scheduled event: Sentencing

Defendant waives arraignment for judgement and states there is no legal cause why sentence should not be pronounced. The court the following judgement:
As to count (01):
Imposition of sentence suspended
Defendant placed on formal probation
For a period of 005 years under the following terms and conditions:
Serve 282 days in Los Angeles County jail

Defendant given total credit for 282 days in custody 188 days actual custody and 94 days good time/work time.
Defendant shall pay restitution in the amount of $200.00 to vic rest fund through the probation office

Total dues: $200.00

In addition:
Stay away from/have no contact with victims and UC campus and any UC meetings. Stay 150 yards from victims:
Richard Atkinson and Frank Clark.

Cooperate with probation officers in a plan for mental health counseling.

Keep probation officers advised of your residence and work and home telephone numbers at all times.

Now own, use or posses any dangerous or deadly weapons, including any firearms, knives or other concealable weapons.

Submit person and property to search or seizure at any time of the day or night by any law enforcement officer or by probation officer with or without a warrant.

Obey all laws and orders of the court.
Obey all rules and regulations of the probation department.

Defendant to report to the probation officer within 48 hours after release from custody.

Gun to be destroyed.
Information is amended to add victim Frank Clark.
Defendant to report to Dr. Knepke within 72 hours.
Progress report set for 11-3-99 in Div. 91.
Defendant ordered to return.
Release issued. #219343.

Count (01): Disposition: Convicted

Remaining counts dismissed:
Count (02): Dismissed due to plea negotiation
Count (03): Dismissed due to plea negotiation
Count (04): Dismissed due to plea negotiation

DMV abstract not required

Next scheduled event:
11/03/99 8:30 AM progress report Dist L.A. - West Los Angeles Div 091.

APPENDIX B

MINUTE ORDER
MUNICIPAL COURT, COUNTY OF LOS ANGELES

NO. SA035552

People of the State of California,

Plaintiffs,

vs.

Mohan Ahuja,

Defendant.

(5 April 2000)

Before William R. Chidsey, Jr,

Defendants 01: Mohan Ahuja

Case Filed on 05/14/99.

Complaint filed, declared or sworn to charging Defendant with having committed, on or about 03/16/99 in the County of Los Angels, the Following Offense(s) of:

Count 01: 76(A) PC Fel - Threatening State Official.

On 04/05/00 at 8:30 AM in Airport Branch Div LXE

Case Called for Motion

Parties: William R. Chidsey, Jr., (Judge)
Nicholas Hermsen (Clerk)
Kelly Surina (Rep)
Don M Tamura (DA)
Defendant is present in Court, and represented by himself in Pro Per.

Defendant's Motion to set aside plea is called for hearing.

Defendant's Exhibit 2 (Supplemental Declaration of Dr. Mohan Ahuja) is marked for identification and admitted into evidence.
Defendant's Exhibit 1 (Declaration of Lawrence Sanchez) is admitted into evidence.

The Motion is denied.

Court Orders and findings:
The Court orders the defendants to appear on the next court date.

Next scheduled event:
Progress report

Next Scheduled Event 2:
Probation in effect.

Custody status: On probation
Case No. SA035552
Def No: 01

APPENDIX C

IN THE COURT OF APPEAL STATE OF CALIUFORNIA
SECOND APPELLATE DISTRICT
DIVISION 3

NO. B140867 (MUNICIPALYY CT NO. SA035552)

People of the State of California,

Respondents,

vs.

Mohan Ahuja,

Appellant.

Appeal from an order of the William R. Chidsey, Jr., Judge **MUNICIPAL COURT, COUNTY OF LOS ANGELES.**

(1 June 2000)

On May 24, 2000, Ahuja filed a document in which he requests to be allowed to represent himself on appeal. Ahuja bases this request on his claimed extensive education in engineering and computer science and legal experience assuredly obtained while suing the University of California in propria persona in federal and state court. A criminal defendant does not have a right to appear before this court in pro se. (*People v. Scott* (1998) 64 Cal.App.4th 550, 579; *In se Walker* (1976) 5 Cal.App.3d 225, 227-229.) Ahuja has failed to demonstrate any basis upon which this court

should grant his request. Accordingly, the request is denied without prejudice.

10Q

IN THE COURT OF APPEAL STATE OF CALIUFORNIA
SECOND APPELLATE DISTRICT
DIVISION 3

NO. B140867 (MUNICIPALYY CT NO. SA035552)

People of the State of California,

Respondents,

vs.

Mohan Ahuja,

Appellant.

Appeal from an order of the William R. Chidsey, Jr., Judge MUNICIPAL COURT, COUNTY OF LOS ANGELES.

(21 June 2000)

THE COURT:

Permission to file appellant's application for extension of time to file a motion for reconsideration of this Court's June 1, 2000, order denied.

APPENDIX D

IN THE SUPREME COURT OF THE SATES OF CALIFORNIA
EN BANC

NO. S089785

People of the State of California,

Respondents,

vs.

Mohan Ahuja,

Appellant

Petition for Review from opinion of the Court of Appeal, Second Appellate District, Division One, State of California

(16 August 2000)

Petition for Review DENIED.